

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

GUSTAVO GONZALEZ and WILLIAM KANE,
individually and on behalf of all others similarly
situated,

Plaintiffs,

v.

800-FLOWERS, INC., D/B/A 1-800-
FLOWERS.COM, HARRY & DAVID,
PERSONALIZATION MALL, SHARI'S BERRIES,
1-800-BASKETS.COM, SIMPLY CHOCOLATE,
FRUIT BOUQUETS.COM, CHERYL'S COOKIES,
THE POPCORN FACTORY, WOLFERMAN'S
BAKERY, and VITAL CHOICE,

Defendants.

Case No. 2:24-cv-08894-SJB-JMW

**AFFIDAVIT IN SUPPORT OF
MOTION TO FOR ADMISSION
PRO HAC VICE**

I, Ari N. Rothman, being duly sworn, hereby depose and say as follows:

1. I am a partner of law firm of Venable LLP. My office is located at 600 Massachusetts Avenue, NW, Washington, DC 20001.

2. I submit this affidavit in support of my motion for admission to practice pro hac vice in the above-captioned matter.

3. As shown in the Certificates of Good Standing annexed hereto, I am a member in good standing of the bar of the states of California (Bar. No. 296568), Nevada (Bar No. 15806), and the District of Columbia; and I am an inactive member in good standing of the bar of the State of Ohio (Bar No. 75187). I voluntarily enacted inactive status in Ohio because I do not reside or practice law there.

4. There are no pending disciplinary proceedings against me in any state or federal court.

5. I have not been convicted of a felony or held in contempt of any court.

6. I have not been censured, suspended, disbarred, or denied admission or readmission by any court.

7. I have been admitted to practice and of good standing in the following courts:

U.S. District Court for the Central District of California (Admitted 2014)
U.S. District Court for the Eastern District of California (Admitted 2017)
U.S. District Court for the Northern District of California (Admitted 2014)
U.S. District Court for the Southern District of California (Admitted 2014)
U.S. District Court for the District of Colorado (Admitted 2018)
U.S. District Court for the District of Columbia (Admitted 2008)
U.S. District Court for the Northern District of Illinois (Admitted 2003)
U.S. District Court for the Southern District of Illinois (Admitted 2014)
U.S. District Court for the District of Maryland (Admitted 2009)
U.S. District Court for the Western District of Michigan (Admitted 2017)
U.S. District Court for the Eastern District of Missouri (Admitted 2014)
U.S. District Court for the District of Nebraska (Admitted 2013)
U.S. District Court for the District of Nevada (Admitted 2021)
U.S. Tax Court (Admitted 2014)
U.S. Court of Appeals for the Fourth Circuit (Admitted 2013)
U.S. Court of Appeals for the Seventh Circuit (Admitted 2014)
U.S. Court of Appeals for the Eighth Circuit (Admitted 2014)
U.S. Court of Appeals for the Ninth Circuit (Admitted 2018)
U.S. Court of Appeals for the Eleventh Circuit (Admitted 2004)
U.S. Supreme Court (Admitted 2015)

8. I have read and am familiar with the law and court and ethical rules cited at Local Civil Rule 1.3(c)(6). If admitted, I will faithfully adhere to all rules applicable to my conduct in connection with any activities in this court.

9. WHEREFORE, your affiant respectfully submits that he be permitted to appear as counsel and advocate *pro hac vice* for Defendants 800-Flowers, Inc. d/b/a Harry & David, Personalization Mall, Shari's Berries, 1-800-Baskets.Com, Simply Chocolate, FruitBouquets.Com, Cheryl's Cookies, The Popcorn Factory, Wolferman's Bakery, and Vital Choice in the above-captioned action.

Dated: 2/21/2025

By: 

Ari N. Rothman
VENABLE LLP
600 Massachusetts Avenue, NW
Washington, DC 20001
Tel.: (202) 344.4220
ANRothman@Venable.com

Sworn and subscribed before me
this 21st day of February, 2025

My Commission expires:

4 / 30 / 2027.

Karen Lammara
Notary Public

KAREN LAMARRA
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires April 30, 2027

